THE WEEKLY REGISTER.

No. 2 of vol. III.] BALTIMORE, SATURDAY, September 12, 1812. [whole no. 54.

Hæc olim meminisse juvabit.—Virgil.

Printed and published by H. Niles, South-st. next door to the Merchants' Coffee House, at *$5 per annum.*

Address,

Of the committee of the city of New-York, acting under the authority of the general committee of correspondence of the state of New-York, in support of the nomination of the hon. DE WITT CLINTON, to the presidency of the United States at the ensuing election.

TO THE PEOPLE OF THE UNITED STATES.

Fellow-Citizens.—The most important interests of the United States are interwoven with the acts of their chief magistrate. Every citizen has, therefore, a deep concern in the choice of that high officer, and an undeniable right to lay his reflections on that subject, respectfully, but with freedom, before the community, of which he is a member.—On that broad basis, we might, perhaps, justify this address, and trust to the correctness of the principles we maintain, for vindication with our countrymen; but we are induced to present ourselves by another, and, we think, a sufficient consideration.

The state of New-York has, by an open nomination of a candidate for the presidency, entered its formal protest against the practice of congressional nominations. Convinced as we are, of the superior worth and qualifications of Mr. Clinton, we are also impelled, by the sincerest respect to the federal constitution; by our desire to preserve the sovereignty of the states, as guaranteed and marked out by that instrument; by a regard to the rights of the people and to the freedom of election, to maintain her in the stand she has taken.

The general committee of correspondence on the part of the state, have appointed us a select committee to explain and vindicate the grounds on which the nomination has been made, and to aid in carrying it into effect. We have accepted the trust, and shall perform it at least with fidelity. The fear of criticism and censure shall not overawe the sense of duty, nor silence the strong convictions of our judgment. Our interests and obligations, whether as citizens of this state, or of this confederation, have, we know, a reciprocal relation; and we cannot be true to the one, without diligently discharging the other.

Nevertheless, we feel much restraint and embarrassment in thus appearing before the American nation; we are sensible of the delicacy of the undertaking, and enter upon it with diffidence and solicitude. While most anxious to avoid blame, and to obtain consideration only through the purity of our motives, and the soundness of our opinions, we anticipate harsh animadversions: we shall be held up to the scrupulous as rash, and to the formal as innovators: our appeal to your tribunal will be stigmatized as presumptuous: our sincere persuasions on subjects of national concern, will be imputed to unworthy motives; will be treated with levity by some, and opposed with bitterness by many.

We are, however, convinced that those will be loudest in their invectives, whose interests are engaged, or whose prejudices have been enlisted against the cause we espouse, and in favor of the doctrines we conceive it our duty to dispute.—Does the Mussulman, who venerates the Koran, and bows before the crescent, abide the scrutiny of the understanding, or weigh the force of argument, when he reviles the christian infidel that rejects the Mahometan faith?

Free citizens of America, be not deceived by such as, wrapping themselves up in the mantle of infallibility, disdain to inquire after truth by the sober light of reason, or to learn wisdom in the school of experience: distrust those who shrink from investigation, because it is their interest to maintain prevailing tenets, and to continue existing practices; examine national questions for yourselves: decide upon them according to the counsel of your own unbiassed judgments.

We have said that the state of New-York has entered its protest against congressional nominations. In doing so, it has acted wisely. *The nomination of a candidate for the presidency of the United States, by an association of members of congress, convened at the seat of government, is hostile to the spirit of the federal constitution, dangerous to the rights of the people, and to the freedom of election.*

Whoever examines that constitution with attention, will perceive that the election of the president is intended to be made, not by the *people* of the United States, in the sense in which they may be said to choose the members of the house of representatives; but by the *states composing the union, in their separate sovereign capacities*, each state voting in the ratio of its population.

The unbiassed exercise of this invaluable right of state sovereignty has been guarded in that instrument with jealous care. "No senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector." Even a state, in delegating its own *sovereign right*, is restrained from confiding its power to any person connected with the congress of the general government.

Permit us now to ask, did this pointed exclusion of the individuals composing congress, or interested in the general government, from participating in the election of president, merely contemplate the avoiding of corrupt influence? Even if that were its only object, no evasion of it should be tolerated; but we believe it further and more particularly aimed at maintaining the authority and rights of the individual states; and we are confirmed in that opinion by observing that where the members of the house of representatives are, from necessity, permitted to interfere in the election, they are compelled to vote *by states*. The constitution thus, in every case, maintaining the principle that the chief magistrate is to be chosen by the states, in their separate, sovereign capacities.

It is perfectly manifest, therefore, that those who compose a congressional caucus are, except in one event, and that in the last extremity, excluded by the express words of the constitution, from intermeddling in the election of a president. Can their attempt then in the first instance, to nominate the candidate for that office, be consistent with its spirit? Who should nominate? some among the states which enjoy the constitutional right to elect. Surely none of those persons, whose interference is cautiously prohibited as teeming with danger, and who are therefore made subject to an incapacity imposed upon no other citizen: and yet, these prohibited and disqualified characters, are to stand forth and designate the president with an authority so conclusive, that to differ from them, and to exercise an independent right, agreeably to the letter and spirit of the constitution, is stigmatized as nothing short of political heresy!

The very power possessed by congress of selecting among the different candidates, where a choice has failed through a division of the electoral votes, *although it may be, and we believe has been the motive and ground-work of congressional nominations*, ought, in all delicacy and fairness, to be an insuperable bar against them. The bias of that nomination is certain of influencing the result of that selection. The connection between the nomination originated through members of congress, and an eventual choice by them conformably thereto, is obvious, and has, we fear, been contemplated. But is it consistent with the spirit of the constitution, or the principles of justice, that those should decide in the last appeal, who had made themselves partizans in the first resort, and had committed themselves by previous engagements?

We are aware of the distinctions made by members of congress, When making those nominations, they affect to act in the capacity only of private citizens. Is it possible that the good sense of the community can be deceived by such a shallow artifice? If, in good faith, they mean to act only as private citizens, let them do so in their respective states, to which the right of election, and the consequent right of nomination belong. There (if any where) their influence would be correctly exercised. But, at the very seat of government, on forbidden ground, that almost all the disqualified persons in the union should assemble, and designate a presidential candidate, seems to us something like an indecent infringement of the right of the states, and an open contempt of the provisions of the constitution. If the members of the house of representatives were to assemble, and point out to the president and senate, a foreign ambassador, or a judge, would it not be considered as monstrous arrogance? How then are we to characterize the act of the same men, and of the senate, who, notwithstanding their personal disabilities, presume to nominate to the respective states, the officer whom they are required to choose? Suppose the two houses, by a concurrent resolution, recommended a candidate for the chief magistracy, who would hesitate to say it was a violation of the constitution? If then, such an act by them in the forenoon, would be *a violation*, is not the very same act by the very same men, in the afternoon, at least *an evasion of the constitution?* Are not the mischiefs to which we have already alluded, and those we are about to suggest, as likely to result from their vote in caucus, as from their vote in congress? Indeed, of two evils, let us choose the least. If they are to interfere, let them do it in such a way as that their conduct may be fairly cognizable by their constituents. If they must act, let them act at least under their official responsibility.

If we are not mistaken, we have demonstrated that a nomination to the presidency, by members of congress, is repugnant to the constitution; we shall now vindicate that instrument, by shewing that the measure, if it shall grow into usage, will also be dangerous to the rights of the people, and to the purity and freedom of election. "If it shall grow into usage:" and has it not already grown into usage? Is it not engrafting itself upon our constitution, and acquiring strength after the manner of all other successful usurpations? Even now, acquiescence in *the regular nomination at Washington*, is by many considered as the touchstone of republicanism. The individuals, or the states that dare to exercise the right of independent choice, are denounced as schismatics and factionists; and if already an innovation, so recent, and so flagrant, be called *the regular nomination*, what will be its influence, should time and repetition give it additional sanction? Let the encroachments of constituted authorities, upon every free government that has been undermined, furnish the answer. Should the practice become inveterate, we do not hesitate to say, *that to promulgate a nomination, will be to decree the election.* The congress will appoint the president, and the constitutional electors will be mere officers, to register its edicts.

Would this change in our system produce beneficial results? At best, it would endanger the independence of the executive, by giving to congress an influence over the measures of government

never contemplated by the constitution, and calculated to diminish the responsibility of the president, the people's only security for his faithful conduct in office. The chief magistrate of the union would owe his elevation and continuance in office to a junto of congressmen, and not to the nation. A sovereign right of the states would be absorbed in congressional influence, or sacrificed to executive patronage; and an inestimable control, provided by the constitution over the measures of the federal administration, and vested in the states, would be thus defeated and destroyed. But in truth, the general government would be made to depend upon itself and upon its skill in generating a cabal through intrigue, and intriguing through a cabal.

If the heads of departments, with their clerks and the other persons holding offices of trust or profit under the United States, were to assemble *in their individual capacities*, at the capitol at Washington, and nominate a presidential candidate, would you not be disgusted and shocked? and yet do you believe that they are passive spectators of a *regular caucus nomination?* Mark the danger at least, that, on some future occasions, men whose station and standing, nay, whose very bread may depend upon the continuance of the same administration, will cultivate the opportunities of private friendship, of official intercourse, of familiar hospitality, of public magnificence; will bias the understanding, engage the hearts, work upon the weakness, and perhaps tamper with the purity of your representatives, collected as they will be in the very focus of executive influence; and having made them fitting instruments, will remain in the back ground, but in fact promulgate the nomination of their own peculiar patron and protector, or perpetuate the succession, if not in the same family at least in the same dynasty!

How far the germ of these evils is already observable, we do not wish to enquire; but rather proceed to indicate another danger which would grow out of this change of system, and become daily more imminent from the increasing importance of this country. As yet, we hope, no foreign power has attempted to influence the elections of our chief magistrate. The thing is impossible, so long as the provisions of the constitution are observed in spirit as well as letter. While the choice of that officer is in truth made by the states, no foreign agents can approach them or bias their suffrages; and thus a calamity that has harassed Poland, Venice, Genoa, the Papal See, almost every other people having an elective executive, is effectually guarded against. But as we rise in the scale of nations, should we concenter the real electors (or at least those whose nomination is to be received as the first regular step to an election) in the one place, and that to the residence of foreign ministers, whose diplomatic office it often is to conciliate and corrupt, can we be so foolish as to suppose, that the opportunity would be neglected by them of obtaining a hold in our councils, and a control over our government?

These are our convictions respecting the unconstitutionality and dangers of our congressional nominations. Were we not restrained by respect for many of the individuals concerned in them, we would expatiate on them as a public offence: and did we not hope that general reprobation would henceforward abolish their use, we should urge their prohibition by law. Very different indeed is the nomination by individual states. Though not enjoined by the constitution, it is perfectly consistent with its principles, and can never produce any inconvenience but the number of candidates: which would at least be accompanied with the advantage of affording a greater opportunity for judicious selection. The inconvenience, however, is merely imaginary, and would never have practical existence. Mutual forbearance, reciprocal intercourse, and good understanding, would be established by the common interests. Circumstances would almost always decide which state should nominate. The acknowledged celebrity or worth of some prominent character; the propensity to rotation; the importance of some members of the confederation, and other similar considerations, would combine to indicate the state from which the chief magistrate, for a term, should be taken. If any one among them should be perpetually urging pretensions and claiming superiority, or should seek to retain to itself a monopoly of honors or power, the spirit of independence, equality, and participation in the other states, would check its pretensions, and teach it moderation.

The state of New-York has now, for the first time, put forward its claim; and examine, we request you, whether some considerations do not strongly mark the propriety of its giving the next president to the union.

The state of Virginia has, for twenty out of the twenty-four years of our present government, enjoyed that honor; she seems desirous of possessing it for another term, and perhaps for as many more as the patience of her sister states will permit. We cheerful ly acknowledge the worth and services of the magistrates she has produced; nor do we doubt her competency to furnish a brilliant succession for many years to come; but may be permitted to suggest, that the patriotism and wisdom of the union are not entirely confined within her precincts. If her pretensions be founded on exclusive, or even superior talents, they are offensive to her compeers, and we think unjust. If other states then, can furnish able and intelligent chief magistrates, there are reasons of no light moment, why she should, for a time, retire from the competition.

Perhaps, if the original framers of our constitution had inserted a provision for the practical rotation of the presidential office, in the different states, and in some proportion to their population or importance, they would have given an additional proof of their wisdom and foresight. If they had done so, we should not now have occasion to allude to jealousies, the existence of which it is vain to deny, however deeply they may be lamented, as gradually undermining the habitual attachment of many for our confederation. We will abstain from enquiring into their justice; it is unnecessary; since to render them dangerous to our prosperity, it is not essential that they should be well founded; it is sufficient if they exist. They will in that case equally rankle in the heart, bias the understanding, and alienate the affection of whoever feels them. To what are they chiefly owing? Why is *Virginia influence* a bye-word in the eastern states, while no one talks of South Carolina or Pennsylvania influence? We are not disposed to facilitate our success, by encouraging those jealousies against Virginia influence. The best interests of the union require that they should be allayed; but we are convinced they never will cease, while the cause or pretext for them remains. Virginia herself, as she values the confederation, should abdicate a situation, which she cannot retain without wounding the feelings of her associates, and weakening their attachments for our union.

Another evil has resulted from the protracted continuance of power in the same quarter. The agricultural and commercial states are beginning to be arrayed against each other, and to feel as if they were not connected by a common bond of interests. The errors of this sentiment we disclaim; but the practical merchants and farmers are prone, in every country, to regard each other as rivals; nor will either party ever patiently submit to be long and exclusively governed by the other, or regulated by its peculiar views or tenets. The population and resources of this state place it in the first rank, while its local situation makes it one of the fit depositories of power, until the distrust and suspicions alluded to shall have subsided, or the evils they complain of shall be remedied. It is a middle state, not deeply tinged with either northern or southern prejudices: It is eminently commercial, and most extensively agricultural: it would be likely to hold the balance even, and to conciliate the interests and good wishes of all.

These considerations would be weighty, even in times of profound peace; but the existence of a war furnishes another and a most powerful argument. New-York is, indeed, a *middle*, but she is also emphatically a *frontier state*. Whatever disasters may be produced by the war, she will share them as a common calamity, and probably she will also feel them with peculiar severity, as inflicted on herself. We do not utter this in the spirit of querulous repining; nature has placed us in the post of danger, and our hearts and principles determine us to defend it as the post of honor. But if our borders are to be harassed, and peradventure, our territory invaded; if our opulent and defenceless capital seems to invite the foe, does not the welfare of the union at large, require that its resources should be directed to the protection of those exposed places, by a statesman to whom their wants are perfectly known, and who would guard them with affectionate zeal? If to this argument of general concern, we added somewhat of personal gratification, should we do wrong? If we said—now that our fortitude is to be peculiarly tried; that our population is to be poured out; that our property may be laid waste; that our individual happiness is put at risque; we offer you a chief magistrate whose republican principles you cannot doubt; of whose competency and talents to discharge the duties of that station, you are well convinced: gratify us in his election. He enjoys our utmost confidence; he inherits the blood, the principles and firmness of that hero, whom ourselves and our fathers long delighted to honor—who was the guide and guardian of his native state, when the same enemy desolated our lands and burnt our towns; who was never appalled in its utmost difficulties, and whose valor and wisdom eminently contributed to the ultimate triumph of America.—If we even urged a persuasion like this, is there an American heart, susceptible of feeling or gratitude, that would repel our claim?

There remains to us another subject, which we most reluctantly enter upon, and which we shall endeavor to discuss with candor and forbearance. We are not enemies to Mr. Madison, and should regret exceedingly if we were considered as disparaging his reputation. Much as we esteem Mr. Clinton, and desirous as we are of his success, we should reject it, if it could only be accomplished by vilifying his competitor; but the merits of the one do not require to be set off by censuring the other. Mr. Madison has passed through a life of honor and public services, and has been already exalted to the first office in the union. His friends are desirous of his enjoying it for another term, and allege something like usage in the re-election of his predecessors.——It is true Washington, the idol of all parties, was so exalted; it is true Jefferson, the idol of the republicans, obtained the same distinction; but a magistrate may be very meritorious, without deserving the honors conferred upon Washington and Jefferson.

We are not aware of any advantage that can result by establishing the rule, that every president, who is not extremely disapproved of, shall be re-elected. The next step will be, that some favorite public servant, as a proof of our peculiar esteem, will be continued in office for three successive terms; and soon three times will be the ordinary period of a president whom it is not intended to disgrace: thus we shall imperceptibly slide into an election for life, and perhaps towards an hereditary succession. Eight years are not an uncommon length of time, as a reward for uncommon services; but there is no reason why they should become the ordinary tenure of office. Nevertheless, had there been no sufficiently countervailing motives, and had the times been more tranquil, we should not, perhaps, object to the re-election of Mr. Madison, if that honor were deemed necessary to fill the measure of his fame. But, much as we respect the feelings of that gentleman, we cannot consent to offer them that tribute under existing circumstances. The present situation of our country excites the deepest anxiety, and renders the choice of its first public officer more important and interesting than ever. This choice involves in effect a question of administration, the appointments of heads of departments, and the institutions of principles of policy for conducting our public affairs, of the utmost consequence to the union.

It is a sacred provision of our government, that the president is the responsible officer under the constitution. The prerogative maxim of Britain cannot be applied to him, *that he can do no wrong*. He is answerable to the nation not only for the general system of administration, but also for the prominent public acts and omissions of his secretaries. The officers are to act under his direction, and cannot be admitted to stand in the same capacity

with the ministers of the king of England, interposed between the chief magistrate and the people, to bear the burden of public censure, and screen him from public observation. A severe enforcement of this essential rule, which makes the president responsible to the nation for the acts of his secretaries, has become indispensable for the restoration of the republic to a healthy condition.

The mode of conducting the war in which we are embarked, is intimately and essentially connected with a satisfactory adjustment of our differences, with the best interests of our country, and with the honor of the American name.

The probability of its taking place could not but have been anticipated; the resources it would require, should have been maturely considered, and the means of providing them directed and arranged; the preparations to wage it with effect ought to have been reasonably made. Have those things been done? We do not wish to enter into a minute detail, that might present a disheartening picture to our country, but we are compelled to ask, where are the marks of system and preparation? Our armies have entered upon military service; which of them is properly provided for the present, or when and where have arrangements been made for securing to it the necessary supplies for the future? We fear it will not be found in the army under general Hull; we are sure it is not in the force collected to defend New-York; nor that organizing on our western border. Supplies for the first should have been furnished through the lakes, and collected before the British had notice of the war: it is now impossible: and that the last is even as yet provided with tents, is entirely owing to the uncommon and unremitted exertions of the governor of this state — Indeed the very impossibility of furnishing our armies by the lakes, is in itself a striking proof of incompetency or inattention. We think no administration, possessing either foresight or vigor, would have omitted strengthening our naval force upon those extensive inland waters, so as to insure to us the naval superiority in them. The facility of doing this is nearly equal to its importance: and in time of war that superiority is of the last importance to the United States, particularly if an attack upon the Canadas be contemplated; besides, the augmentation of our naval force there, is not subject to the same objection frequently made against a similar measure in our Atlantic ports, that it would tend to involve us in the maritime conflicts of Europe.

It is in vain to say that these are the errors of the heads of departments. The just and salutary rule of our constitution compels us to place them to the account of our present executive.—The secretaries of the navy and of war, are bound to execute the orders given them by the president, on all naval and military affairs: either he directed the necessary preparations to be made, or he did not. If he directed them, he is responsible for continuing incapable men in office; if he did not, the blame attaches personally on himself.

But wherefore this lingering preparation, and final inadequacy of the means employed in the contest our government has undertaken? Appropriations were made, in preceding sessions of congress, for the timely provision of munitions of war, in the apprehension that hostilities would grow out of the infringements of our neutral rights. Why has the application of them been neglected, till the conflict was at hand? Do not our raw recruits and vulnerable points in the most valuble and important quarters, declare that recourse has been had to hostilities without a digested system either of defensive or offensive operations? Neither advice of the declaration of war, nor instructions or orders were received by the commanding officer of our squadron at New-York, till general publicity afforded sufficient time for the enemy, most exposed to his operations, to avoid attack and elude pursuit. An opulent fleet of merchantmen sailed from Jamaica, exactly in time to have been easily intercepted, if the orders of government had been prompt and decisive: but they escaped capture by some negligent delay at Washington; and we should even wish to know, was commodore Rodgers informed of that fleet by our government, or did he accidentally hear of it at sea?

If this country be competent to carry on the war, and we are sure it is—if our executive sufficiently foresaw the approach of hostilities, and informed themselves as to the best means of conducting them with effect, and shortening their duration by a vigorous commencement, we should have expected to see, not ten or twelve hundred men collecting in the vicinity of Albany, but forces formed, organized and disciplined; an army invading Nova Scotia to wrest from England her best naval station on our seas; another acting against the Canadas, and a third attacking the Floridas at the same time.

How shall we characterise the uninterrupted permission to carry on trade with Spain and Portugal? Is it a measure of electioneering policy, or a further proof of the absolute inefficiency that pervades our councils? It undoubtedly affords to England the amplest means of supplying her armies with provisions of every kind, of which they would otherwise be destitute; and therefore gives the most effectual *aid and comfort* to the enemy. It is a trade which cannot be carried on under the American flag; for that will necessarily be excluded by the superiority of the British power in the seas that wash those coasts. It may easily be carried on by British vessels, covered by subjects of Spain and Portugal. It affords then to the foe, the means of prolonging the war against us, and promotes the prosperity of British and foreign tonnage, to the ruin of our own ships and merchants. Had the parliament of England legislated for us on this subject, from its policy, its wisdom, and its hatred to our shipping and trade, this arrangement might, perhaps, have been expected: proceeding from our own rulers, it seems almost incomprehensible.

But money has been aptly called the sinews of war, and what system of procuring it has been furnished by our present administration? Where is the republican who is not astonished and confounded at the scheme of taxation proposed through the department of the treasury? It almost seemed intended to damp the public spirit of the country: objects of revenue were presented, odious to the feelings of the citizen, and which, under similar circumstances, formerly occasioned the reprehension of the very person who now revives them. It was not found expedient to adopt this plan; perhaps it was judged cunning to postpone it till after the presidential election. The credit of the nation is therefore put to the test, by a call for a very large loan, without a specification of security, and impaired, by placing at the disposal of the administration, for instant expenditure, and in order to avoid the immediate resort to direct taxes, monies appropriated to the sinking fund, for the purpose of buying unredeemed debt at a price under par. This injudicious use of that fund, heretofore held sacred by all administrations, cannot fail most injuriously to affect the credit of the other loans at market.

The expenses incident to our situation must, we know, be incurred, and we think that the administration have insulted the patriotism of the people, by declining to take the necessary steps for meeting them; but indeed, considering the conduct hitherto pursued, we are seriously apprehensive lest an immense public debt should be accumulated, without the attainment of any equivalent advantage The service of the next year may be expected to call for twenty millions, without having made any serious impression on the enemy, or any advance towards the favorable adjustment of our disputes.

The nomination of De Witt Clinton for the presidency, by the state of New-York, proposes to the union, as we firmly believe, a relief from the evils of an inefficient administration, and of an inadequately conducted war. His patriotic and inflexible principles guarantee a firm and unyielding maintenance of the sovereign rights of the United States.——Nevertheless, he is not engaged, through any effect of foreign diplomacy, as to the controverted claims of the belligerents of Europe upon each other, in the new and outrageous species of hostility introduced into the present war.

His qualities, as they have been proved by a long trial in public life, assure us of an able and upright conduct of our national affairs. From his discernment, we infer an excellent selection of the best talents in the nation, to fill the high stations of government, and aid the republic with their counsel and services.

From his energy we anticipate vigor in war, and a determined character in the relations of peace. We believe him to be, in this respect, formed on the model of his venerated uncle, whose decision of mind, constancy and firmness, were almost unequalled.

His attachment to the commercial interests of the union, is founded upon an intimate acquaintance with their beneficial results, and a persuasion of the national advantage accruing from commercial pursuits.

His administration would, we believe, aim at reviving the almost expiring commerce of the country, and extending to it a naval protection proportioned to its value, and to the revenue poured by it into the national coffers. In fine, we believe, that to maintain the rights of his country, would be his unalterable resolution; to regain peace would be his study; to retain it would be his desire; and to restore the republic to health and prosperity, his highest ambition.

We therefore earnestly recommend him to the support of the other states and to the suffrages of the electors for the next president of the union.

WILLIAM W. GILBERT,
MATTHIAS B. TALLMADGE,
JOHN McKESSON,
PRESERVED FISH,
PIERRE C. VAN WYCK,
GURDON S. MUMFORD,
JACOB DE LA MONTAIGNE,
BENJAMIN DE WITT,
SILVANUS MILLER,
THOMAS ADDIS EMMETT,
BENJAMIN FERRIS,
R. RIKER,
ELBERT HERRING,
P. WILSON,
JOHN H. SICKLES,
SAMUEL MARRIS.

New-York, 17th August, 1812.

East Florida.

The following documents were confidentially communicated to congress on the first of July last. The injunction of secrecy was afterwards taken off. They have not yet been generally published, and afford much information as to the late events in those countries.

From the secretary of state to general George Mathews and colonel John M'Kee, dated

DEPARTMENT OF STATE, January 26, 1811.

The president of the United States having appointed you jointly and severally commissioners for carrying into effect certain provisions of an act of congress (a copy of which is inclosed) relative to the portion of the Floridas situated to the east of the river Perdido, you will repair to that quarter with all possible expedition, concealing from general observation the trust committed to you with

that discretion which the delicacy and importance of the undertaking requires.

Should you find governor Folk, or the local authority existing there, inclined to surrender in an amicable manner the possession of the remaining portion or portions of West Florida now held by him in the name of the Spanish monarchy, you are to accept, in behalf of the United States, the abdication of his, or of the other existing authority, and the jurisdiction of the country over which it extends. And should a stipulation be insisted on for the re-delivery of the country, at a future period, you may engage for such re-delivery to the lawful sovereign.

The debts clearly due from the Spanish government to the people of the territory surrendered, may, if insisted on, be assumed within reasonable limits and under specified descriptions to be settled hereafter as a claim against Spain in an adjustment of our offairs with her. You may also guarantee in the name of the United States, the confirmation of all such titles to land as are clearly sanctioned by Spanish laws: and Spanish civil functionaries, where no special reasons may require changes, are to be permitted to remain in office, with the assurance of a continuation of the prevailing laws with such alterations only as may be necessarily required in the new situation of the country.

If it should be required, and be found necessary, you may agree to advance, as above, a reasonable sum for the transportation of the Spanish troops.

These directions are adapted to one of the contingencies specified in the act of congress, namely, the amicable surrender of the possession of the territory by the local ruling authority.—But should the arrangement, contemplated by the statute, not be made, and should there be room to entertain a suspicion of an existing design in any foreign power to occupy the country in question, you are to keep yourselves on the alert, and on the first undoubted manifestation of the approach of a force for that purpose, you will exercise, with promptness and vigor, the powers with which you are invested by the president to pre-occupy by force the territory, to the entire exclusion of any armament that may be advancing to take the possesssion of it. In this event you will exercise a sound discretion in applying the powers given with respect to debts, titles to land, civil officers and the continuation of the Spanish laws; taking care to commit the government on no point further than may be necessary. And should any Spanish military force remain within the country, after the occupancy by the troops of the U. States, you may, in such case, aid in their removal from the same.

The universal toleration which the laws of the United States assures to every religious persuasion, will not escape you as an argument for quieting the minds of uninformed individuals, who may entertain fears on that head.

The conduct you are to pursue in regard to East Florida, must be regulated by the dictates of your own judgments, on a close view and accurate knowledge of the precise state of things there, and of the Spanish government, always recurring to the present instruction as the paramount rule of your proceedings. Should you discover an inclination in the governor of East Florida, or in the existing local authority, amicably to surrender that province into the possession of the United States, you are to accept it on the same terms that are prescribed by these instructions in relation to West Florida. And in case of the actual appearance of any attempt to take possession by a foreign power, you will pursue the same effective measures for the occupation of the territory and for the exclusion of the foreign force, as you are directed to pursue with respect to the country east of the Perdido, forming, at this time, the extent of governor Folk's jurisdiction.

If you should, under these instructions, obtain possession of Mobile, you will lose no time in informing governor Claiborne thereof, with a request that he will without delay, take the necessary steps for the occupation of the same.

All ordnance and military stores that may be found in the territory must be held as the property of the Spanish government, to be accounted for hereafter to the proper authority; and you will not fail to transmit an inventory thereof to this department.

If, in the execution of any part of these instructions, you should need the aid of a military force, the same will be afforded you upon your application to the commanding officer of the troops of the United States on that station, or to the commanding officer of the nearest post, in virtue of orders which have been issued from the war department. And in case you should moreover need naval assistance, you will receive the same upon your application to the naval commander in pursuance of orders from the navy department.

From the treasury department will be issued the necessary instructions in relation to imposts and duties, and to the slave ships whose arrival is apprehended.

The president, relying upon your discretion, authorizes you to draw upon the collectors of Orleans and Savannah for such sums as may be necessary to defray unavoidable expenses that may be incurred in the executions, not exceeding in your drafts on New Orleans eight thousand dollars, and in your drafts on Savannah two thousand dollars, without further authority, of which expenses you will hereafter exhibit a detailed account, duly supported by satisfactory vouchers.

Postscript.—If governor Folk should unexpectedly require and pertinaciously insist that the stipulation for the re-delivery of the territory, should also include that portion of the country which is situated west of the river Perdido, you are, in yielding to such demand, only to use general words that may, by implication, comprehend that portion of country;—but at the same time, you are expressly to provide, that such stipulation shall not in any way impair or affect the right or title of the United States to the same.

The secretary of state to general Matthews.

Department of state, April 4, 1812.

Sir—I have had the honor to receive your letter of the 14th of March, and have now to communicate to you the sentiments of the president, on the very interesting subject to which it relates.

I am sorry to have to state that the measures which you appear to have adopted for obtaining possession of Amelia Island and other parts of East Florida, are not authorized by the law of the United States, or the instructions founded on it, under which you have acted.

You are authorized by the law, a copy of which was communicated to you, and by your instructions, which are strictly conformable to it, to take possession of East Florida, only in case one of the following contingencies should happen: either that the governor or other existing local authority should be disposed to place it amicably in the hands of the United States, or that an attempt should be made to take possession of it by a foreign power. Should the first contingency happen, it would follow that the arrangement being amicable, would require no force on the part of the U. States to carry it into effect. It was only in case of an attempt to take it by a

foreign power that force could be necessary, in which event only were you authorized to avail yourself of it.

In neither of these contingencies was it the policy of the law, or purpose of the executive, to wrest the province forcibly from Spain; but only to occupy it with a view to prevent its falling into the hands of any foreign power, and to hold that pledge under the existing peculiarity of the circumstances of the Spanish monarchy, for a just result in an amicable negociation with Spain.

Had the United States been disposed to proceed otherwise, that intention would have been manifested by a change in the law, and suitable measures to carry it into effect. And as it was in their power to take possession whenever they might think that circumstances authorized and required it, it would be the more to be regretted, if possession should be effected by any means irregular in themselves, and subjecting the government of the United States to unmerited censure.

The views of the executive respecting East Florida, are further illustrated by your instructions as to West Florida. Although the United States have thought that they had a good title to the latter province, they did not take possession until after the Spanish authority had been subverted by a revolutionary proceeding, and the contingency of the country being thrown into foreign hands, had forced itself into view. Nor did they then, nor have they since dispossessed the Spanish troops of the post which they occupied. If they did not think proper to take possession by force, of a province, to which they thought they were justly entitled, it could not be presumed that they should intend to act differently, in respect to one to which they had not such a claim.

I may add, that although due sensibility has been always felt for the injuries which were received from the Spanish government in the last war, the present situation of Spain has been a motive for a moderate and pacific policy towards her.

In communicating to you these sentiments of the executive on the measures you have lately adopted for taking possession of East Florida, I add with pleasure that the utmost confidence is reposed in your integrity and zeal to promote the welfare of your country. To that zeal the error into which you have fallen is imputed. But, in consideration of the part which you have taken, which differs so essentially from that contemplated and authorized by the government, and contradicts so entirely the principles on which it has uniformly and sincerely acted, you will be sensible of the necessity of discontinuing the service in which you have been employed.

You will, therefore, consider your powers as revoked on the receipt of this letter. The new duties to be performed will be transferred to the governor of Georgia, to whom instructions will be given on all the circumstances to which it may be proper, at the present juncture, to call his attention.

I have the honor to be, very respectfully, sir, your obedient servant.

General Matthews, &c.

The secretary of state to D. B. Mitchell, the governor of Georgia.

DEPARTMENT OF STATE, April 10, 1812.

SIR—The president is desirous of availing the public of your services, in a concern of much delicacy and of high importance to the United States. Circumstances with which you are in some degree acquainted, but which will be fully explained by the enclosed papers, have made it necessary to revoke the powers heretofore committed to general Matthews, and to commit them to you. The president is persuaded that you will not hesitate to undertake a trust so important to the nation and peculiarly to the state of Georgia. He is the more confident in this belief, from the consideration that these new duties may be discharged without interfering, as he presumes, with those of the station which you now hold.

By the act of the 15th of January, one thousand eight hundred and eleven, you will observe that it was not contemplated to take possession of East Florida, or of any part thereof, unless it should be surrendered to the United States, amicably, by the governor or other local authority of the province, or against an attempt to take possession of it by a foreign power; and you will also see that general Matthews' instructions, of which a copy is likewise enclosed, corresponded fully with the law.

By the documents in possession of the government it appears that neither of these contingencies have happened, that instead of an amicable surrender by the governor or the local authority, the troops of the United States have been used to dispossess the Spanish authority by force. I forbear to dwell on the details of this transaction, because it is painful to recite them. By the letter to general Matthews, which is enclosed open for your perusal, you will fully comprehend the views of the government respecting the late transaction, and by the law, the former instructions to the general and the letter now forwarded, you will be made acquainted with the course of conduct which it is expected of you to pursue in future, in discharging the duties heretofore enjoined on him.

It is the desire of the president that you should turn your attention and direct your efforts, in the first instance, to a restoration of that state of things in the province which existed before the late transactions. The executive considers it proper to restore back to the Spanish authorities Amelia island, and such other parts, if any, of East Florida, as may have thus been taken from them. With this view, it will be necessary for you to communicate *directly* with the governor or principal officer of Spain in that province, and to act in harmony with him in the attainment of it. It is presumed that the arrangement will be easily and amicably made between you. I enclose you an order from the secretary at war to the commander of the troops of the United States to evacuate the country, when requested so to do by you, and to pay the same respect to your orders, as he had been instructed to do that of general Matthews.

In restoring to the Spanish authorities Amelia island and such other parts of East Florida as may have been taken possession of in the name of the United States, there is another object to which your particular attention will be due. In the measures lately adopted by general Matthews, to take possession of that territory, it is probable that much reliance has been placed by the people who acted in it, on the countenance and support of the United States. It will be improper to expose these people, to the resentment of the Spanish authorities. It is not to be presumed that those authorities, in regaining possession of the territory in this amicable mode from the United States, will be disposed to indulge any such feeling towards them. You will, however, come to a full understanding with the Spanish governor on this subject, and not fail to obtain from him the most explicit and satisfactory assurance respecting it. Of this assurance you will duly apprize the parties interested, and of the confidence which you repose in it. It is hoped that, on this delicate and very interesting point, the Spa-

nish governor will avail himself of the opportunity it presents to evince the friendly disposition of his government towards the United States.

There is one other remaining circumstance, only, to which I wish to call your attention, and that relates to general Matthews himself. His gallant and meritorious services in our revolution, and patriotic conduct since, have always been held in high estimation by our government. His errors in this instance are imputed altogether to his zeal, to promote the welfare of this country; but they are of a nature to impose on the government the necessity of the measures now taken, in giving effect to which, you will doubtless feel a disposition to consult, as far as may be, his personal sensibility.

I have the honor to be, &c.

(Signed) JAMES MONROE.

P. S.—Should you find it impracticable to execute the duties designated in the above requests, you will be so good as to employ some respectable character to represent you in it, to whom you are authorized to allow a similar compensation. It is hoped, however, that you may be able to attend to it in person, for reasons which I need not enter into. The expense to which you may be exposed, will be promptly paid to your draft on this department.

The secretary of state to D. B. Mitchell, governor of Georgia.

DEPARTMENT OF STATE, May 27, 1812.

SIR,—I have had the honor to receive your letter of the 2nd instant, from St. Mary's, where you had arrived in discharge of the trust reposed in you by the president, in relation to East Florida.

My letter by Mr. Isaacs has, I presume, substantially answered the most important of the queries submitted in your letter; but I will give to each a more distinct answer.

By the law, of which a copy was forwarded to you, it is made the duty of the president to prevent the occupation of East Florida, by any foreign power. It follows that you are authorized to consider the entrance, or attempt to enter, especially under existing circumstances, of British troops of any description, as the case contemplated by law, and to use the proper means to defeat it.

An instruction will be immediately forwarded to the commander of the naval force of the U. States, in the neighborhood of East Florida, to give you any assistance, in case of immergency, which you may think necessary, and require.

It is not expected, if you find it proper to withdraw the troops, that you should interfere to compel the patriots to surrender the country, or any part of it, to the Spanish authorities. The United States are responsible for their own conduct only, not for that of the inhabitants of East Florida. Indeed, in consequence of the compromitant, of the United States to the inhabitants, you have already been instructed not to withdraw the troops, unless you find that it may be done consistently with their safety, and to report to the government the result of your conferences with the Spanish authorities, with your opinion of their views, holding in the mean time the ground occupied.

In the present state of our affairs with Great Britain, the course above pointed out is the more justifiable and proper.

I have the honor to be, &c.

(Signed) JAMES MONROE.

General Assembly of Connecticut.

REPORT

Of the general assembly of Connecticut,

AT THEIR SPECIAL SESSION, AUGUST 25, 1812,

On that part of his excellency the governor's speech, which relates to his correspondence with the secretary of war, &c.

The committee appointed to take into consideration, that part of his excellency the governor's message which relates to his correspondence with the secretary of war and major-general Dearborn, respectfully report:

That their attention has been devoted to the important subject committed to them, with all that care and deliberation which its magnitude demands, and which his excellency the governor solicits, to the end that "if any errors have been committed, they may at this time be corrected."

The committee consider it as of the highest importance, that no ground should be taken, on this subject, but that which is strictly constitutional, and that, being taken, it should be maintained at every hazard.

The documents and correspondence, which are the subject of consideration, being already in the hands of every member of the legislature, it becomes unnecessary to state their contents. The committee would refer to those documents. Under a law authorizing a detachment of militia to be called into the service of the United States, "*in all the exigencies provided by the constitution,*" the quota of this state has been demanded "*to repel invasion.*" Invasion is the only exigency which is claimed to have occurred; and the only evidence of invasion, which has been furnished, or which is pretended to exist, is to be found in the letter of the secretary of war, to his honor lieutenant governor Smith, dated July 14, 1812; unless indeed, it is to be found in the evidence there referred to, viz. the declaration of war against Great Britain, which had, prior to that time, been officially communicated to his excellency the governor. This appears to be the sole evidence relied upon to justify the demand of the militia; and the secretary of war appears, by his letter above referred to, to be surprised that any other evidence should be required.

From this letter, as well as from the whole proceedings which have taken place, it is very apparent, that the claim set up by the administration of the government of the United States is, that when a war has been declared to exist, between this and any foreign country, the militia of the several states are liable to be demanded, by the administration of the government of the United States, to be called into the service of the United States to enter their forts, and there remain, upon the presumption, that the enemy *may* invade the place or places, which they are ordered to garrison and defend.—And that, for this purpose, they may be ordered to any part of the United States; for it will be remarked that no pretension is set up, that any more, or greater danger of invasion exists at New-London or New-Haven, than exists in any other place on the sea coast.

It is true, that the secretary of war, after expressing his surprise that any other evidence should be required of imminent danger of invasion, after the declaration of war had been promulgated and officially communicated, does say, "that I am instructed by the president to state to you that such danger actually exists." No *place* is pointed out, as in more danger of such invasion than any other. It all rests upon the danger apprehended, from the state of war.

If this claim is well founded, it will follow that there is no *constitutional* objection to the militia remaining in the service of the United States, during the continuance of the war. For, although the act of congress under which they are now called to serve, limits the period of service to six months, yet by the constitution, the United States have surely a right to the services of the militia, during the existence of the invasion, until it is effectually repelled. Upon the principle, that a state of war necessarily implies a state of invasion, or that imminent danger of invasion which the militia are obliged to meet and repel, congress *may* pass a law, by which their services shall be required during the continuance of the invasion, or in other words, during the continuance of war.

The war, in which this country is now unhappily engaged, has been declared by our own government. Not because the country is invaded, or threatened with invasion, but to seek redress and indemnification for injuries and wrongs of which we complain, by *invasion* and *conquest* of the territories of the enemy. It is not a *defensive*, but *offensive* war.

At the time when the demand was made for the militia, the war had been recently declared; it was not then even known to the nation against which it was declared. The invasion then existing, or cause of invasion then expected, must be presumed to last as long as the war shall last. It may be presumed to increase. Invasion of the territory of the enemy may be expected, when known to produce retaliation. If then the militia can be constitutionally required to man the garrisons of the U. States, they may continue to be so required, as long as the danger continues to exist; and to become, for all the purposes of carrying on the war within the United States, standing troops of the United States. And a declaration of war made by the administration of the government of the U. States, and announced to the governors of the states, will substantially convert the militia of the states into such troops. Before it is agreed that the states have ceded such a power to the U. States, the question ought to be examined with much attention.

On the fullest deliberation, your committee are not able to discover, that the constitution of the United States justifies this claim.

The people of this state were among the first to adopt that constitution—They have been among the most prompt to satisfy all its lawful demands, and to give facility to its fair operations—they have enjoyed the benefits resulting from the union of the states; they have loved, and still love and cherish *that* union, and will deeply regret, if any events shall occur to alienate their affection from it. They have a deep interest in its preservation, and are still disposed to yield a willing and prompt obedience to all the legitimate requirements of the constituton of the United States.

But it must not be forgotten, that the state of Connecticut is a FREE, SOVEREIGN, and INDEPENDENT state; that the United States are a *confederacy* of states; that we are a confederated, and not a consolidated republic.—The governor of this state is under a high and solemn obligation, "*to maintain the lawful rights and privileges thereof, as a sovereign, free and independent state,*" as he is "*to support the constitution of the United States,*" and the obligation to support the latter, imposes an additional obligation to support the former. The building cannot stand, if the pillars upon which it rests are impaired or destroyed. The same constitution, which delegates powers to the general government, inhibits the exercise of powers, not delegated, and reserves those powers to the states respectively. The power to use the militia "to execute the laws, suppress insurrections and repel invasions," is granted to the general government. All other power over them is reserved to the states. And to add to their security, on the all important subject of their militia, the power of appointing their officers is *expressly* reserved. If then the administration of the general government demand the militia, when neither of the exigencies provided for by the constitution have occurred, or to be used *for purposes* not contemplated by that instrument, it would be not only the heighth of injustice to the militia, to be ordered into the service of the U. States, to do such duty, but a violation of the constitution and laws of this state, and of the United States. Once employed in the service of the U. States, the militia would become subject to the articles of war, and exposed to be punished with death, if they should leave a service which, by the constitution of their country, they are not bound to perform.

From an attentive consideration of the constitution and laws of the United States, it is evident to the committee, that the militia of the several states are to be employed by the U. States, for the purpose only of performing special services, in cases where no other military force could be conveniently had, or properly exercised; and when those services are performed, they are to return to their several homes. The committee cannot believe, that it was ever intended that they should be liable, on demand of the president upon the governor of the state, to be ordered into the service of the U. States, to assist in carrying on an offensive war. They can only be so employed, under an act of the legislature of the state, authorizing it. On the expediency of passing such a law, or adopting any measures which the war may render necessary, the committee do not consider it as within their commission to decide.

If congress, or the president of the United States, shall apply to this state, to furnish troops to assist in carrying on the war, the request will doubtless meet with the attention which it will merit.

The committee will only take the liberty to remark that, should the manner in which the war is waged or prosecuted, induce the enemy to retaliate, by an actual invasion of any portion of our territory, or should we be threatened with invasion, or attack from any enemies, the militia will always be prompt and zealous to defend their country.

The government of this state, as it ever has been, so it will continue to be, ready to comply with all constitutional requisitions of the general government. Faithful to itself and posterity, it will be faithful to the United States.

The committee, on a full view and deliberate consideration of the subject referred to them, are of opinion, that the conduct of his excellency the governor, regarding the same, has been regulated by a strict regard to the rights and interests of this state, and the militia thereof, as well as to the constitution of the United States, and ought to be approved; for which, the committee have prepared a resolve, which is herewith presented.

All which is respectfully submitted.

General Assembly, special session,
August, 1812.

(Signed per order) CALVIN GODDARD.

In the house of representatives, the foregoing report is accepted and approved.

Attest, CHARLES DENISON, *Clerk.*

Concurred in the upper house.

Attest, THOMAS DAY, *Secretary.*

Resolved, That the conduct of his excellency the governor, in refusing to order the militia of this state into the Service of the United States, on the requi-

sition of the secretary of war and major-general Dearborn, meets with the entire approbation of this assembly.

General assembly special session,
August, 1812.

Passed in the house of representatives.
Attest, CHARLES DENISON, *Clerk.*

Concurred in the upper house.
Attest, THOMAS DAY, *Secretary.*

DECLARATION OF THE GENERAL ASSEMBLY,
At their special session, Aug. 25, 1812.

The legislature of the state of Connecticut, convened to consult the welfare, and provide for the defence of the state, at this interesting and eventful period, avail themselves of the opportunity thus afforded to declare and resolve,

That while some of their sister states offer assurances of their unqualified approbation of the measures of the general government, in respect to our foreign relations, we confidently trust that the motives which influence us to declare what we believe to be the deliberate and solemn sense of the people of this state, on the question of the war, will be justly appreciated.

The people of this state view the war as unnecessary.

Without pretending to an exclusive or superior love of country to what is common to their fellow-citizens, or arrogating a pre eminence in those virtues which adorn our history, they yield to none in attachment to the union or veneration of the constitution. The union, cemented by the blood of the American people, is endeared to our best affections, and prized as an invaluable legacy bequeathed to us and our posterity by the founders of our empire.

The people of this state were amongst the first to adopt the constitution. Having shared largely in its blessings, and confidently trusting, that, under the guardianship of the people and of the states, it will be found competent to the objects of its institution, in all the various vicissitudes of our affairs, they will be the last to abandon the high hopes it affords of the future prosperity and glory of our country.

These sentiments of attachment to the union, and to the constitution, are believed to be common to the American people, and those who express and disseminate distrusts of their fidelity to both or either, we cannot regard as the most discreet of their friends.

Unfortunately, our country is now involved in that awful conflict which has desolated the fairest portion of Europe. Between the belligerents, G. Britain is selected for our enemy. We are not the apologists of the wrongs of foreign nations—we enquire not as to the comparative demerits of their respective decrees and orders.—We will never deliberate on the choice of a foreign master. The aggressions of both nations ought to have been met at the onset by a system of defensive protection commensurate to our means, and adapted to the crisis. Other counsels prevailed, and that system of commercial restrictions, which before had distressed the people of Europe, was extended to our country.—We became parties to the continental system of the French emperor. Whatever its pressure may have been elsewhere, on our citizens it has operated with intolerable severity and hardship.

In the midst of these sufferings, war is declared, and that nation of the two is selected as a foe which is capable of inflicting the greatest injury. In this selection, we view, with the deepest solicitude, a tendency to entangle us in an alliance with the nation which has subverted every republic in Europe, and whose connections, wherever formed, have been fatal to civil liberty.

Of the operation of her decrees on the American commerce; it is not necessary here to remark. The repeal of them promulgated in this country since the declaration of war, virtually declares that the American government was not to be trusted. Insult is thus added to injury.

Should a continuance of this war exclude our seafaring and mercantile citizens from the use of the ocean, and our invaluable institutions be sacrificed by an alliance with France, the measure of our degradation and wretchedness would be full.

War, always calamitous, in this case, portentous of great evils, enacted against a nation powerful in her armies, and without a rival on the ocean, cannot be viewed by us but with the deepest regret. A nation without fleets, without armies, with an impoverished treasury, with a frontier by sea and land extending many hundred miles, feebly defended, waging a war, hath not "*first counted the cost.*"

By the constitution of the U. States, the power of declaring war, is vested in congress.—They have declared war against G. Britain.—However much this measure is to be regretted, the general assembly, ever regardful of their duty to the general government, will perform all their obligations resulting from this act. With this view, they have, at this session, provided for the more effectual organization of the military force of the state, and a supply of the munitions of war. These will be employed, should the public exigencies require it, in defence of this state, and of our sister states, in compliance with the constitution; and it is not to be doubted, but that the citizens of this state will be found, at the constitutional call of their country, among the foremost in its defence.

To the U. States is delegated the power to call forth the militia to execute the laws, to suppress insurrection, and repel invasion. To the states respectively, is reserved the entire control of the militia, except in the cases specified. In this view of that important provision of the constitution, the legislature fully accord with the decision of his excellency the governor, in refusing to comply with the requisition of the general government for a portion of the militia. While it is to be regretted that any difference of opinion on that subject should have arisen, the conduct of the chief magistrate of this state, in maintaining its immunities and privileges, meet our cordial approbation. The legislature also entertain no doubt that the militia of the state will, under the direction of the captain-general, be ever ready to perform their duty to the state and nation in peace or war. They are aware, that in a protracted war, the burden upon the militia may become almost insupportable, as a spirit of acquisition and extension of territory appears to influence the councils of the nation, which may require the employment of the whole regular forces of the U. States in foreign conquest, and leave our maritime frontier defenceless, or to be protected solely by the militia of the states.

At this period of anxiety among all classes of citizens, we learn, with pleasure, that a prominent cause of the war is removed by a late measure of the British cabinet. The revocation of the orders in council, it is hoped, will be met by a sincere spirit of conciliation on the part of our administration, and speedily restore to our nation the blessings of a solid and honorable peace.

In the event of the continuance of the war, the legislature rely on the people of Connecticut, looking to HIM who holds the destinies of empires in his hand, for aid, to maintain those institutions which their venerable ancestors established, and to pre-

serve inviolate those invaluable privileges which their fathers acquired, and which are consecrated by their blood.

Passed in the house of representatives.

Attest, CHARLES DENISON, *clerk.*

Concurred in the upper house.

Attest, THOMAS DAY, *secretary.*

General assembly, *August*, 1812.

☞ The legislature of Connecticut have voted to raise for state service, 2 regiments of infantry, 4 companies of artillery, and 4 companies of cavalry ——to purchase 3000 stand of arms, and eight field pieces—and accept of volunteer companies to defend the harbors.

British Proclamation.

By ISAAC BROCK, *esq. major general commanding his majesty's forces in the province of Upper Canada, a proclamation.*

WHEREAS the territory of Michigan was this day, by capitulation, ceded to the arms of his Britannic majesty, without any other condition than the protection of private property; and wishing to give an early proof of the moderation and justice of the government, I do hereby announce to all the inhabitants of the said territory, that the laws, heretofore in existence, shall continue in force until his majesty's pleasure be known, or so long as the peace and safety of the said territory will admit thereof.—And I do hereby also declare and make known to the said inhabitants, that they shall be protected in the full exercise and enjoyment of their religion, of which all persons, both civil and military, will take notice and govern themselves accordingly.

All persons having in their possession, or having any knowledge of any public property, shall forthwith deliver in the same, or give notice thereof to the officer commanding, or lieutenant colonel Nichol, who are hereby authorised to receive and give proper receipts for the same.

Officers of the militia will be held responsible that all arms, in possession of the militia men, be immediately delivered up; and all individuals whatever, who have in their possession arms of any kind, will deliver them up without delay. Given under my hand, at Detroit, this 16th day of August, 1812, and in the 52d year of his majesty's reign.

(Signed) ISAAC BROCK, *Major-general.*

A true copy,

J. MACDONELL, *Lt. Col. Militia & A. D. C.*

Events of the War.

MILITARY.

We are yet without particulars of Hull's surrender.

Governor Harrison and colonel John P. Boyd, heroes of Tippacanoe, have been appointed brigadier-generals in the army of the United States. The former, it is stated, will have a command of the troops assembling at Urbanna, Ohio. The latter is commander in chief in the states of New Hampshire, Massachusetts, Rhode-Island and Connecticut.

Indications of a movement of the army.—Messrs. C. Seldom and Brothers, of Troy, advertise for four hundred waggons immediately to take on loading [baggage &c. of the army,] from Troy to Whitehall, on lake Champlain.

The Jersey regiment, nearly 800 strong, have struck their tents at Fort Richmond on Staten island, and embarked for Albany. Their place is supplied by 800 militia from New-York and 500 from New-Jersey. All the works for the defence of New-York appear to be fully manned.

The citizens of Albany, receiving a new impulse of patriotism by the surrender of general Hull, have commenced a subscription for raising a *regiment* of volunteers—and very liberal subscriptions have been made for the comfort and convenience of the brave spirits who may offer their services

Baltimore is about to send forth a considerable body of volunteers to *Canada*, and the most ample funds are provided from the liberal purses of our citizens, to supply them with every necessary to their leaving home. About fifteen thousand dollars have been subscribed for this purpose, and any reasonable sum may be obtained in addition if the service shall require it. Several gentlemen subscribed $500 each.

A part of the 12th reg. U. S. infantry about 300 strong, under the command of colonel Parker, passed through Williamsport (Md.) on the 31st ult. on their way to the north, and were handsomely received and very kindly treated, by the inhabitants of that village.

The governor of *Kentucky* learning the critical situation of gen. Hull, determined to send a reinforcement of volunteers to general Payne, so as to make his whole force 3,400 strong. He also appointed governor *Harrison* a major general, to have the command of the Kentucky troops, by brevet,* a procedure extremely well calculated to give confidence to the army of that state in the field. Richard M. Johnson, a member of congress from Kentucky, proposed to raise six companies (500 men) of *mounted* infantry, volunteers, to march immediately for Detroit—and to trust to the liberality and justice of congress for indemnification. A meeting was to be held at Georgetown on the 31st ult. and from the spirit of Kentucky, though the *proposition* was made only on the 25th of the same month, we venture to say that this body of men is in the field—perhaps at Urbanna, or beyond it. Major-general Harrison left Lexington on the 29th ult. to join the army in Ohio—Colonel Poague's regiment of 500 mounted riflemen were prepared to march. The augmentation of the troops and the appointment of Harrison, was the last act of good old gen. *Scott*, as governor of Kentucky—his venerable fellow soldier who succeeded him, col. *Shelby*, on coming into office, made a further augmentation of the troops; so that the whole force from Kentucky, marched to Ohio and the Indiana territory, will amount to 6000 men, in actual service. These things will never be forgotten.

At the requisition of major gen. Pinkney, the governor of Georgia has ordered 1000 militia into immediate service.

Colonel Coles, with about 300 men from Fredericksburg, Virginia, has marched for the northward.

With much satisfaction we learn, although an attack upon the Indiana territory is expected by the allied army of British and savages, that the state of the military force is such as to warrant a full belief they will fail. On the 18th ult nine full companies were on duty at *Vincennes*, and 300 volunteers from Kentucky immediately expected. *Tecumseh* commands under his *excellency* maj. gen. Brock.

In the late skirmishes many English fought with the Indians, painted and dressed like the savages.

It is stated that forts Wayne and Dearborn have been captured by the *allied* forces. We expect to hear a dreadful tale of murder.

The town of Alexandria is about sending out a company of volunteers—a sufficient number of young men have already offered, and $2000 have been

* When an officer is appointed (*ad interim*) "by brevet" he does not receive pay for the *office so held*. This note is added for the instruction of our youthful readers.

raised, with the prospect of trebling the sum if required. The Herald says "that the disgraceful surrender of Hull has done more for the success of the war than the capture of 10,000 British regulars." We fully, subscribe to the truth of this observation. The spirit of the people is awaking from the lethargy of thirty years peace.

"In peace there's nothing so becomes a man
"As modest stillness and humility,
"But when the blast of war blows in our ears,
"Then imitate the action of the tyger,
"Stiffen the sinews—summon up the blood;
"Disguise fair nature with ill-favor'd rage,
"And lend the eye a terrible aspect."——

Fifteen hundred men are *immediately* to march from Virginia for the western country, to rendesvous at Point Pleasant, on the Ohio. At Richmond, ladies of the first distinction *volunteered* their services to make knapsacks, tents &c. for the soldiers, and in four or five days all things were ready. The governor concludes his general orders by a nervous and very elegant address, which is laid off for record. The citizens of Richmond liberally subscribed a very handsome sum to provide all conveniences for the troops.

Four companies of the Republican Greens of the city of New-York have volunteered their services to the governor and will march for the frontiers in a few days. We believe the Greens are all natives of Ireland, or of Irish descent.

NAVAL.

Extract of a letter from commodore (Lt.) Woolsey to his father, general Woolsey—dated,

"August 2, 1812.—The schooner *Lord Nelson*, about 60 tons, was armed with the thirty-two pounder, and two six pounders, sent by captain CHAUNCEY. She was put under the command of captain DIXON, and sent down to *Ogdensburg*, to convoy seven schooners to *Sacket's* harbor. As she came to the narrows, about 11 miles above *Ogdensburg*, she made to, and hailed a smack boat of six men. *They* gave no answer, but pulled off.—*They* fired a shot ahead, but they did not mind it. The *Lord Nelson* having forty-two men on board, gave them a discharge and killed four; the other two leaped overboard and swam ashore.—The *Earl Moira*, 16 thirty-two pounders, and the *Duke of Gloucester*, then came out to take them, but shameful to *Britain* did not succeed. They fired one broad side, but did no harm—captain Dixon then played on them with our 32 and both 6's beat them off, and even drove them under their fort at *Elizabeth-town*. Cpatain Dixon fired the 32 pounder about 100 times at their vessels, their battery, and the town. He was positive he did very great damage to the brig and schooner. He could distinctly hear them *screech* and see splinters fly nearly mast high, almost every shot. My brother is going to attack the *Royal George*."

COMMODORE RODGERS' SQUADRON.

Boston, September 1.

Yesterday arrived in this harbor, the U. States ships President 44, com. Rodgers; United States 44, capt. Decatur; Congress 36, capt. Smith; Hornet 16, capt. Lawrence; and brig Argus 16, capt. Sinclair; the whole of the squadron which sailed from New-York on the 21st of June, under com. Rodgers.

"Sailed from New York June 21—The 23d, 6, A. M. discovered, and gave chase to an English frigate, supposed to be the Belvidere. The superiority of the President's sailing, while the breeze continued fresh, enabled her to get within gun shot between 4 and 5, P. M. when it had moderated so much as to give very faint hopes of getting along side. At this time perceiving she was training her guns to bear upon the President, the latter commenced a fire at her spars and rigging, with the view to cripple and get abreast of her. A fire was kept up about two hours. The President gave her two or three broadsides, and kept up a well directed fire from the chase guns, which cut her sails and rigging very much, but did not succeed in destroying any of her spars although some of them were much wounded. The President all this time was exposed to a running fire from her 4 stern chasers; and once the British frigate commenced a fire from her main deck, with an intention of raking the President with a broadside, but at that moment receiving one from the President, continued her course under a press of sail, and used only her stern guns. All sail was crowded in pursuit, but in vain. The chase was now throwing overboard every thing that could be spared, to increase her sailing, and escaped by lightness of the wind. Four of her boats were seen floating by the President, completely knocked to pieces, together with a great number of casks, spars, &c. and it was supposed most of the guns were also thrown overboard.

The President received a considerable number of shot in her sails and rigging, but was not materially injured. The chase was continued till about midnight, when it was relinquished as hopeless, and the President hove too for the squadron to come up.—Early in the chase, one of the President's chase guns, on the gun deck, burst, and injured the upper deck so much, as to prevent the use of the chase guns on that side for a considerable time. The President had three killed, and nineteen wounded, most of the latter slightly; of the wounded, 16 were by the bursting of a gun. It was by the same gun com. Rodgers had his leg fractured, but has recovered.

The squadron afterwards pursued the Jamaica fleet, but owing to uncommonly foggy weather missed them, although at times very near."

The squadron has been off the English channel, then along the coast of France, Spain and Portugal, within 30 miles of the rock of Lisbon—then made Madeira Island—then off Coro and Floros—then back to the Banks—and by Nova Scotia to Boston.

Many of the seamen of the squadron are sick of the scurvy. Several have died. About 120 English prisoners are on board.

We understand the seamen stated to have been impressed from a Portuguese brig *entered voluntarily*

PRESIDENT AND BELVIDERA.

COPIES OF LETTERS FROM CAPT. HULL TO THE SECRETARY OF THE NAVY.

United States' frigate Constitution, August 28, 1812.

SIR—The enclosed account of the affair between the President, commodore Rodgers, and the British frigate Belvidera, fell into my hands by accident! It clearly proves that she only escaped the commodore by superior sailing, after having lightened her, and the President being very deep.

As much has been said on this subject; and commodore Rodgers has not arrived, to give you his statement of the affair, if it meet your approbation I should be pleased to have this account published to prevent people from making up their minds hastily, as I find them willing to do.

I am confident could the commodore have got alongside the Belvidera, she would have been his, in less than one hour.

I have the honor to be, with great respect, sir, your obedient servant, ISAAC HULL.

The honorable Paul Hamilton, &c.

An account of the proceedings of his majesty's ship Belvidera, Richard Byron, esq. captain, 23d day of June, 1812.

A. M. 4, 40, Nantucket Shoal, bearing S. W. saw several sail, made sail towards them, at 6, 30, they

bore S. W. S. made them out to be three frigates, one sloop, and one brig of war, standing to the S. E. under a press of sail. Observed them to make signals, and haul up in chase of us, hauling down their steering sales, in a confused and irregular manner. Tacked ship and made the private signal, which was not answered, made all sail possible. N. E. by E. at 8 moderate and fine weather, the headmost ship of the chase S. S. W 1-3 W, apparently gaining ground on us at times, and leaving her consorts. At 11, 30, hoisted our colors, and pendant, the chase hoisted American colors, two of them hoisted commodores broad pendants, at noon the commodore and the second headmost ship of the chase S. W. 3-4 W. about 2 and 3-4 of a mile, Nantucket Shoal N. 4 00. E. 48 miles, moderate and fine weather, cleared ship for action, commodore of chase gaining, the other ships dropping, observed the chase pointing her guns at us, at 3 30, the commodore fired three shots, one of which struck the rudder coat, and came into the after gun-room, the other two came into the upper, or captain's cabin, one of which struck the muzzle of the larboard chase gun, the other went through the beam under the skylight, killed Wm. Gould, (seaman); wounded John Hill, (armourer) mortally; Joseph Lee, (sea.) severely; George Marlon, (ships corporal) badly; lieutenant Bruce and James Kelly, and James Larmont, (sea.) slightly. At 3, 45, commenced firing with our stern guns, shot away her larboard lower steering sail, keeping our ship a steady course N. E. by E. at 4 the chase bore up and fired her larboard broadside, which cut our rigging and sails much; the long bolts, breeching hooks, and breechings of the guns and cannonades frequently breaking, (by one of which capt. Byron was severely wounded in the left thigh) all of which was instantly replaced. Kept up a constant fire, which was returned by our opponents with bow chase guns, and at times by her broadsides, which, by her superiority of sailing, she was enabled to do till 6, 45, when we cut away our spare sheet and small bower anchors, barge, yawl, and jolly boats, and started 14 tons of water; we then gained on him, when he bore up and fired three broadsides; part of which fell short of us; at 7 opponent ceased firing, and the second frigate commenced, but finding her shot fall short, ceased again. Employed fishing our cross-jack yard and main topmast, (both badly wounded) knotting and splicing our rigging, which was much cut and damaged. At 11, altered our course to E. by S. 1-4 S. and lost sight of our opponents.*

*The following is the *American* account of the same action, as communicated to the editor of the *Boston Centinel*, by an officer of the squadron.

ED. REG.

The running fight between the *President* and *Belvidera*, is thus stated.—The latter was descried on the 23d *June*, when the squadron gave chase. The *President*, by superiority of sailing, got within gun shot of the *Belvidera*, between 4 and 5 o'clock P. M. when finding the breeze which had enabled the *President* to overhaul the chase was moderating, and that the chase was preparing to fire on the *President*, the latter commenced firing for the purpose of crippling the spars of the *Belvidera*, in order to come up with her. The fire was kept up two hours; the *President* yawing, and firing two or three broadsides to effect her object, and keeping up a constant fire of the chase guns, which, though it cut the sails and rigging, did not stop the way of the *Belvidera*, which, as the wind became light, was accelerated by her crowding all sail, starting her water, cutting away her anchors, and by staving and throwing over her boats. The chase continued until near midnight; during which, the *Congress* frigate came so near the *Belvidera* as to fire three or four shot at her. The *Hornet*, as reported, had no share in the firing. Early in the chase, a very serious accident occurred on board the *President*: one of the forward guns, in being fired, burst, tore up the deck, killed several seamen, and wounded 11 or 12 others—among whom was com. RODGERS, who had stepped forward to direct the firing of the chase guns, and who was blown up, and in the fall, had the bone of his leg fractured. He has since recovered. This accident also prevented the chase guns being used for some time. The loss of the *President* we have not accurately ascertained. We understand 4 were killed by the bursting of the gun, and 3 by the shot of the *Belvidera*; and 19 were wounded, mostly slightly, and by the bursting of the gun.

United States' frigate Constitution, off Boston Light, August 28, 1812.

SIR—I have the honor to inform you, that after leaving Boston Light on the 2d inst. the date of my last letter to you, I stood to the eastward along the coast, in hopes to fall in with one of the enemy's frigates, which was reported to be cruizing in that direction, the day before I left Boston. I passed near the coast, as far down as the bay of Fundy, but saw nothing. I then run off Halifax and cape Sables, and remained near there for three or four days without seeing any thing, which made me determine to change my situation to the eastward, towards Newfoundland. I accordingly bore up, and run to the eastward under all sail, passing near the Isle of Sables, and hauling in to take a station off the Gulph of St. Lawrence, near cape Race, to intercept the ships of the enemy bound either to or from Quebec or Halifax, to be in a situation to recapture such of our vessels as they might be sending in.

On the 10th inst. being off cape Race, I fell in with a light merchant brig, bound to Halifax from Newfoundland; and as she was not worth sending in; I took the crew on board and set her on fire.—On the 11th, I fell in with the British brig Adeona, from Nova-Scotia, bound to England, loaded with timber; I took the crew out of her and set her on fire, and made sail to take a station nearer cape Race, where we continued cruising until the morning of the 15th, at day-light, when five sail were in sight ahead of us, apparently a small convoy. I gave chase under a press of sail, and soon found that we gained on them very fast, and discovered that one of them was a ship of war; at sun rise they tacked, and stood on the same tack with us. By this time, we could plainly discover that the ship of war had a brig in tow. At 6, coming up very fast with the ship, and could see that she had cast off the brig that she had in tow, and had set her on fire, and had ordered a second brig to stand before the wind to separate them. The ship of war making sail to windward, I gave chase to a ship which appeared to be under her convoy; but when we came up with her, she proved to be a British ship, prize to the Dolphin privateer, of Salem. She had been spoken by the ship of war, but we came up with them before they had time to put men on board and take charge of her. Whilst our boats were boarding this vessel, the ship of war had got nearly hull down from us; und understanding from one of the prisoners that she was a very fast sailer, I found it would not be possible to come up with her before night, or perhaps not then; I therefore gave chase to the brig that run before the wind,

determined to destroy all his convoy; we soon found we came fast up with the brig, and that they were making every exertion to get off by throwing overboard all the lumber, water casks, &c.

At 2 P. M. we brought to the chase, and found her to be the American brig Adeline, from Liverpool, loaded with dry goods, &c. took the prize-master and crew out, and put midshipman Madison and a crew on board, with orders to get in the nearest port she could make. From the prize master of this vessel, I learnt that the brig burnt by the sloop of war belonged to New-York, and was loaded with hemp, duck, &c. last from Jutland, having gone in there in distress.

Having chased so far to the eastward as to make it impossible to come up with the sloop of war, I determined to change my cruising ground, as I found by some of the prisoners that came from this vessel, that the squadron that chased us off New-York were on the western edge of the Grand Bank, not far distant from me. I accordingly stood to the southward, intending to pass near Bermuda, and cruise off our southern coast——Saw nothing till the night of the 18th, at half past 9 P. M. discovered a sail very near us, it being dark; made sail and gave chase, and could see that she was a brig. At 11, brought her to and sent a boat on board, found her to be the American privateer Decatur, belonging to Salem, with a crew of 108 men, and 14 guns, twelve of which she had thrown overboard whilst we were in chase of her. The captain came on board, and informed me that he saw the day before a ship of war standing to the southward, and that she could not be far from us; at 12 P. M. made sail to the southward, intending, if possible, to fall in with her. The privateer stood in for Cape Race, intending to cruise there, and take ships by boarding, as he had lost all his guns but two. The above is a memorandum of what took place on board the Constitution, under my command, from the time we left Boston, up to the 18th inst. which, I hope, will meet your approbation.

I have the honor to be, with great respect, sir, your obedient servant, ISAAC HULL.

The hon. PAUL HAMILTON,
Secretary of the Navy, Washington City.

DESTRUCTION OF THE GUERRIERE.

United States' frigate Constitution, off Boston Light, August 30, 1812

SIR—I have the honor to inform you, that on the 19th inst. at 2 P. M. being in lat. 41, 41, and lon. 55, 48, with the Constitution under my command, a sail was discovered from the mast-head, bearing E. by S. or E. S. E. but at such a distance we could not tell what she was. All sail was instantly made in chase, and soon found we came up with her. At 3 P. M. could plainly see that she was a ship on the starboard tack, under easy sail, close on a wind—at half past 3 P. M. made her out to be a frigate—continued the chase until we were within about 3 miles, when I ordered the light sails taken in, the courses hauled up, and the ship cleared for action.—At this time, the chase had backed her main-top-sail, waiting for us to come down. As soon as the Constitution was ready for action, I bore down with an intention to bring him to close action immediately; but on our coming within gun shot, she gave us a broadside, and filled away, and wore, giving us a broadside on the other tack, but without effect, her shot falling short. She continued wearing and manœuvring for about three quarters of an hour, to get a raking position—but finding she could not, she bore up and run under her topsails and gib, with the wind on the quarter. I immediately made sail to bring the ship up with her, and 5 minutes before 6 P. M. being alongside, within half pistol shot, we commenced a heavy fire from all our guns, double shotted with round and grape, and so well directed were they, and so warmly kept up, that in 16 minutes his mizen mast went by the board, and his main yard in the slings, and the hull, rigging, and sails, very much torn to pieces. The fire was kept up with equal warmth for 15 minutes longer, when his mainmast and foremast went, taking with them every spar excepting the bowsprit; on seeing this, we ceased firing, so that in thirty minutes after, we got fairly alongside the enemy; she surrendered, and had not a spar standing, and her hull below and above water so shattered, that a few more broadsides must have carried her down.

After informing that so fine a ship as the Guerriere, commanded by an able and experienced officer, had been totally dismasted, and otherwise cut to pieces, so as to make her not worth towing into port, in the short space of 30 minutes, you can have no doubt of the gallantry and good conduct of the officers and ship's company I have the honor to command. It only remains, therefore, for me to assure you, that they all fought with great bravery; and it gives me great pleasure to say, that from the smallest boy in the ship, to the oldest seaman, not a look of fear was seen. They all went into action, giving three cheers, and requesting to be laid close alongside the enemy.

Enclosed, I have the honor to send you a list of killed and wounded on board the Constitution, and a report of the damages she sustained—also, a list of killed and wounded on board the enemy, with his quarter bill, &c.

I have the honor to be, with very great respect, sir, your obedient servant, ISAAC HULL.

The hon. PAUL HAMILTON, &c. &c.

Return of killed and wounded on board the U. States' frigate Constitution, Isaac Hull, esq captain, in the action with H. M. S. Guerriere, J. R. Dacres, esq. captain, on the 20th day of August, 1812.

KILLED.

Wm. S. Bush, 1st lieut. of marines; Jacob Sago, seaman; Robert Brice, do. John Brown, do. James Read, do. Caleb Smith, do. James Ashford, do.

WOUNDED.

Charles Morris, 1st lieut. dangerously; John C. Aylwin, master, slightly; Richard Dunn, seaman, dangerously; George Reynolds, ordinary seaman, dangerously; Daniel Lewis, do. dangerously; Owen Taylor, do. do.; Francis Mullen, marine, slightly.

RECAPITULATION.

Killed.—One lieutenant of marines, and six seamen—Total killed, 7.

Wounded.—Two officers, four seamen, and one marine—Total wounded, 7.

List of the killed and wounded on board the Guerriere.

WOUNDED.

Jas. R. Dacres, captain; Bartholomew Kent, lieutenant; Robert Scott, master; Samuel Grant, master's mate; James Enslie, midshipman; John Little, seaman; James Miller, ordinary seaman; Henry Verderie, do.; Hugh M Kinley, do.; James Morris, seaman; T. Harrington, armorer; Wm. Mee, armorer's mate; Peter Stempstead, ordinary seaman; Peter Peterson, do.; Ralph Williams, do.; Henry Holt, do.; Wm. Somers, do.; Wm. Millington, do.; Pat. Murphy, qr. gun.; J. Cromwell, qr. master; Mat. Reardon, ordinary seaman; John Campbell, do.; Jno. Southgate, do.; Henry Dent, do.; Stephen Kelly, boy; John O'Hare, ordinary seaman; Philip Dwyer, do.; J. Smith, 3d seaman; K. M'Donald, do.; Alex. Ferguson, ordinary seaman; George Meathers, seaman; James Crooker, do.; David Lewis, ordinary

seaman; John Hibbs, do.; Joseph Lushwood, do.; Robert Taylor, do.; George Reed, seaman; William Jones, ordinary seamen; D. M'Mechen, carpenter's crew; Wm. Cooper, seaman; Lawrence Norman, do.; G. Emmerson, sail-maker; J. Jameson, seaman; Wm. Hall, do.; John Bruntlot, do.; J. Sholer, boatswain's mate; R. Baily, 1st do.; J. Copeland, seaman; Samuel Miller, do.; Roger Spry, marine; John Fake, do.; Melchis Archer, do.; John Goss, do.; Edward Daking, do.; Wm. Cooper, do.; Samuel Long, do.; Thomas C[illegible]bers, do.; Joseph Fountain, do.; Wm. Ryan, do.; Thomas Couther, do.; John Robson, do.; Wm. Jones, do.

KILLED.

H. Ready, 2d lieutenant; J. Smith, 2d gunner's mate; G. Griffiths, qr. gunner; J. Tuck, ordinary seaman; Wm. Baker, do.; Alex. Cowie, seaman; Richard Chusman, landsman; Wm. White, seaman; Henry Brown, ordinary seaman; Robert Rodgers, seaman; John Peterson, do.; Wm. Brown, 2d do.; J. A. Fox, sergeant of marines; J. Woodcock, marine; T. Pratt, do.

MISSING.

James Johnson, Moses Vingen, Benj. Hinworth, James Greenwood, Wm. Cole, James Johnson, 3d. corporal Webb, marine; John Griswell, J. M'Gill, James Batterwitch, Wm. Raysdon, Wm. Hammock, Robert Mittwoft, A. Joaquin, John Jacobs, lieutenant Jas. Pullman, Mr. Garton, John Newman, Robert Winn, James Guy, Robert Scott, lieutenant Roberts, John Flavitt, John Hosey.

Commodore *Rodgers* wishing to put to sea from Boston on the 4th inst. in quest of a British frigate, stated to be on the coast, requested of captain *Hull* the loan of sixty men. *Hull* communicated the request to his crew, and all, with one voice, volunteered their service. But the wind prevented him from leaving the port as desired, though the men requested, with their baggage, were on their way to the President in twenty minutes.

When captain Hull landed from the constitution, he was received with every demonstration of affection and respect. The Washington Artillery posted on the wharf again welcomed him with a federal salute, which was returned from the Constitution. An immense assemblage of citizens made the welkin ring with loud and unanimous huzzas, which were repeated on his arrival in State street, and at the coffee house. The street was beautifully decorated with American flags.

Norfolk, September 3.—The schooner Hornet, a privateer fitted out of Baltimore, was run ashore 10 miles to the S. of Cape Henry, by a British man of war and bilged.

Government has issued orders for the release of all British prisoners, when there is opportunity of conveying them to a British place; and any officer to give a receipt for them.

An active exchange of prisoners between Boston and Halifax exists—we rejoice at the prompt return of our countrymen.

A splendid entertainment has been given by the citizens of *Boston*, of all parties, to capt. *Hull* and his officers, to which com. *Rodgers* and the officers of his squadron were invited. The citizens of *New York* have raised a sum of money for the purpose of purchasing swords, to be presented to capt. *Hull* and the brave officers of his ship. The people of *Philadelphia* are raising funds to purchase two superb pieces of plate, to be presented to capt. *Hull* and his first lieutenant the gallant Morris. In *Baltimore*, on Monday last, the flags of all the vessels in the harbor were displayed, in honor of *Hull's* victory over the *Guerriere*, a salute was also fired. The *Constitution* was received at *Boston* with a federal salute, and three times three cheers from an immense crowd of the people.

The frigate *Constellation* has underwent a thorough repair at Washington, and will soon be at sea. The *Chesapeake* is also in a state of great forwardness to wipe off the stains of the murderous *Leopard*.

It is stated, that a respectable naval force, under charge of a captain, acting as commodore, will be immediately established on the lakes; and that carpenters and workmen for the purpose have already set out.

A New York paper states, there are nineteen privateers belonging to that port, eleven of which are at sea. Among those lately fitted out, we observe the following—schrs. "*Orders in Council;*" "*United we stand;*" "*Divided we Fall;*" "*Spitfire;*" and "*Berlin and Milan Decress*"

The privateer *Bunker Hill* is said to be captured by the British. Like the memorable place after which this vessel was named, she has cost the enemy more than the possession is worth. The Dolphin of Salem is also said to be taken, after having done her full duty. The brave fellows will soon return "to fight again;" we have plenty of Englishmen to exchange for them.

The needful repairs to the Constitution frigate will be immediately made, and com. *Rodgers'* squadron is probably ready for sea. Assisted by Hull and his valiant crew, he will be glad to meet the British squadron, consisting of a 64 gun ship and three frigates, seen a few days ago off Nantucket.

The Rossie, of Baltimore, went into New-Port (R. I.) on the 30th ult—during the cruise, commodore *Barney* has captured fifteen vessels in all, 9 of which he burnt or sunk. The Rossie was only 45 days at sea—the vessels captured carried 2914 tons, had on board 166 men, and are estimated to have cost $1,280,000.

The Lewis, of New-London, 4 guns and 45 men, has been sent into Halifax; but previous to her capture, she fell in with and seized a most valuable English ship of 8 guns, richly laden, for Quebec, which, if she arrives safe, will pay the privateersmen very abundantly for their losses.

HEROISM.—Among the many interesting incidents in the late action between the Constitution and the Guerriere, the following will contribute to shew the high spirit of our gallant tars. In the heat of the action, one of the crew of the Constitution, perceiving that the flag at the foretop-mast-head had been shot away, went up and lashed it in such a manner as to make it impossible for shot to take it away without taking the mast with it. We understand that the secretary of the navy intends taking suitable notice of this brilliant act. *Nat. Intel.*

Extract from the log book of the privateer schooner Shadow, of Philadelphia.

On the 3d of August, at half past meridian, discovered a sail, called all hands to quarters, and made all necessary sail in chase. At half past 5 P. M. came up with the chase, and perceived she was a British man of war, in the square sail and staysail, and hauled by the wind; at the same time she tacked for us, commencing a brisk fire. At 8 P. M. lost sight of her.

On the 4th August, at half past meridian, saw a sail to the eastward standing westward, made all necessary sail in chase.——At half past 5 P. M. carried away the square-sail boom—cut the wreck adrift, rigged out the lower steering sail boom, and set the square-sail—again coming up with the chase. At 6 P. M. being within gun-shot, she commenced a firing from her stern guns. At 7 P. M. came up with

her, and commenced an action—at half past 7, the ship hoisted a light in her mizen rigging, which was answered by a light from us, at the same time hailed her. She hailed from Liverpool, when captain Taylor ordered him to send his boat on board with his papers, which he in part complied with, by sending his boat with an officer and two men, whom we detained, and issued orders to man the boat with our crew, board the ship, and demand her papers; which orders were delivered by Mr. Thos. Yorke, who received for answer, *that such orders would not be complied with*, at the same time handing him a note, addressed to capt. Taylor, purporting that his ship was a British letter of marque, called the May, from Liverpool, bound to St. Lucia, commanded by capt. Affleck, mounting 14 guns and 50 men; he also stated that the orders in council had been rescinded, and a change of ministry taken place in England; which note was handed capt. Taylor—when the boat was again send on board with a note from capt. Taylor, demanding his papers—which were refused. At half past 8 o'clock, a brisk fire commenced on both sides; during which time, Wm. Craft, sail maker, was wounded. At 10 P. M. dropped a stern with an intention of lying by all night within gun shot; at intervals, kept up a brisk fire; weather squally and dark.

At day light, ranged up under her stern and commenced a severe action, when we received a shot in our starboard bow, which shattered the wooden ends, started the plank shear, and broke several timbers; at half past 7 A. M. another in our larboard bow, struck the larboard after gun carriage, killed Daniel Coleman, James Mahaffey, Wm. Sharp, John North, Geo. Cantler, Shepherd Bulsford, and wounded Timothy Cale, Francis Martin, Wm. Pomroy. At half past 8 A. M. our commander received a ball in its left temple, which instantly terminated his existence, to the inexpressible regret of all hands. About the same time, a shot struck under the larboard fore chains, between wind and water, which caused the vessel to make much water, having found three feet water in the hold upon sounding.

☞The Shadow has arrived at Philadelphia, been refitted, and is again at sea.

Extract from the journal of the privateer brig Yankee.

Aug. 1, 1812—At meridian, continued in chase of a large English armed ship, distant about four miles upon the lee bow. At 1 P. M. we prepared for action, and run down upon her weather quarter, upon which the ship filled away, and also prepared for action. We immediately fired our first division, the ship returned a broadside, and the action became general. The officers and marines poured into the enemy a full volley of the musketry, and the three divisions, at the same time, gave her a broadside.—We then bore away, run athwart his bows, gave him another broadside, which raked him fore and aft, and discharged all the small arms; during this time, however, the enemy kept up a well directed fire, shot away some of our rigging, and wounded two of our seamen. But we soon destroyed the ship's running rigging and sails, killed the helmsman, and kept up so warm a fire of round, langrage, cannister and grape shot, musket balls, buck shot, and pistol bullets, that the enemy's ship became unmanageable, and she came right down bows upon us.—We instantly sheered off, gave her a full discharge of all our arms, both great and small, and prepared to board her with boarding pikes, muskets, cutlasses and pistols, when the enemy hauled down his colors. The firing then ceased, and we gave the enemy three cheers. Sent lieut. Sweat, with an armed boat's crew on board, and took possession of her. She proved to be the English letter of marque ship Royal Bounty, capt. Henry Gambles, 658 tons burthen, mounting 10 carriage guns, with powder, shot, muskets and pistols, navigated by 25 persons. She was from Hull, in ballast, seven weeks out, bound to Prince Edward's Island. On boarding her, we found two men killed, the captain, his two mates, boatswain, cook, and 2 seamen dangerously wounded; and that we had shot away nearly all her standing and running rigging, stove her boats, damaged her masts, spars and sails, and pierced her hull and bulwarks with innumerable shot, both great and small. Her mainsail received 158 shot of different kinds; her main-top-sail and all other sails were so completely cut to pieces, as to be unserviceable. Even her colors where penetrated with six musket shot.

We regret to state, that two of our own seamen, viz—Aaron Mason, boatswain's first mate, and John Chase, quarter-master, were badly wounded in the neck and thigh, though not dangerously. The prisoners were taken on board the Yankee, and the wounded dressed by our surgeon.

The above action lasted upwards of an hour, and most part of that time we were within pistol shot of the enemy.

American Prizes.

(CONTINUED FROM OUR LAST, PAGE 12.)

137. Ship Grenada, 11 guns, 30 men, *seven hundred* tons burthen, laden with 700 hhds. of sugar, with large quantities of cotton and coffee, from Point Petre, Guadaloupe, for London, sent into Charleston by the Young Eagle of New-York.

138. Schr. Shadock, also armed, from Antigua for Liverpool, laden with molasses, in company with the Grenada, sent into ditto by ditto. The Eagle carries but one gun and 42 men. She engaged the Greneda and Shadock at the same time, and in an hour and a half captured them both. The captain of the Shadock was killed, and two of his men wounded; three men were wounded on board the ship—no person hurt belonging to the privateer.

139. Barque Diana, with a valuable cargo of rum, sugar, &c. worth $100,000, sent into Savannah by the High Flyer, of Baltimore.

140. Brig Roe-buck, with a full cargo of rum, from Grenada for Jersey, sent into Norfolk by the Rosamond of New-York. The Roe-buck is a very valuable vessel, formerly belonging to the U. S. but *peaceably* captured under the orders in council.

141. Ship GUERRIERE, capt. Dacres, of 49 guns and 302 men, captured by the United States' frigate Constitution, after a very short action, in which the Englishman was so terribly mauled, having also lost his three masts, as to make it impossible to get him into port. The *yankees* burnt him. See official account.

142. Brig Lady Warren, from St. Johns, taken by the frigate Constitution, and burnt.

143 Brig Abona, from Nova Scotia for Newcastle, England, taken by ditto and ditto.

144. Barque Harriet, of Liverpool, from Maramachi, taken by ditto.

145. Brig Duchess of Portland, from New Castle for Pictou, taken by the squadron under commodore Rodgers, and burnt.

146. Brig Traveller, from Quebec for New Castle, laden with spars, taken by ditto and ditto.

147. Brig ——— from Boco Coro, with $10,000 in specie, &c. the cash taken out and vessel ordered for the first port, captured by ditto.

148. Brig Henry, from Gibraltar, sent into Newport, R. I. by the Yankee, of Bristol.

149. Ship Hopewell, 14 guns, 25 men, from Surinam for London, burthen upwards 400 tons, laden

with 710 hhds of sugar, 54 do. molasses, 111 bales cotton 260 bags and casks coffee, and cocoa, captured by the Comet of Baltimore, and sent into that port after an obstinate engagement, in which one man was killed and 6 wounded on board the ship—two of the privateer's men were wounded. ☞ The Hopewell sailed from Surinam in co. with five other ships from which she parted but two days before—the Comet went in search of them, every sail set. The Hopewell is worth 150,000$. Her late captain bears the most honorable testimony of the bravery of the crew of the Comet.

150. Brig Hazard, from New Castle for Newfoundland, in ballast, burthen 238 tons, carrying 6 twelve pounders, an excellent vessel, first captured by the Dolphin of Salem—re-captured by the Æolus frigate, and sent into Boston by the U. S. ship Wasp.

151. Schooner Forebe and Phoebe, sent into Portsmouth, N. H. by the Squando of that port.

152. Brig *Thetis*, by the Yankee of Bristol, burnt.*

153. Brig *Alfred*, by ditto and ditto.

154. Brig *Antelope*, by the Dolphin of Salem, sent into do.

155. Ship *Kitty*, by the Rossie of Baltimore, sent into an eastern port.

156. Schooner *Spunk*, by the Fair Trader of Salem, sent into ditto.

157. Schooner *Providence*, by the Wiley Reynard of New-York.

158. Ship Guayana, carrying 8 guns, burthen 300 tons, from Liverpool for New-York, with salt, crates, &c. sent into Salem by the Dromo of Boston. This is an English ship and British property.

159. Barque Duke of Savoy, 8 guns, ——— sent into Salem by the Decatur of Newburyport. The Decatur having thrown over her guns when chased by the Constitution, re-armed herself from the prize.

160. Ship ———, with 600 hhds. sugar, sent into Philadelphia, by the Atlas of that port.

161. Ship Evergreen, sent into Salem, by the Dolphin of that port.

162. Brig New Liverpool, 4 guns, from Minorco for Quebec, with a full cargo of wine, sent into New York, by the Yankee of Bristol, R. I.

163. Ship Mary-Ann, from Jamaica for London, a very valuable vessel, carrying 12 guns and 18 men, deeply laden with sugar, &c. sent into Charleston by the High Flyer of Baltimore.

☞ We have just learnt that an officer of the U. States' frigate Essex, passed through this city on his way to Washington, who informs—that that frigate has arrived at New Castle, Del. from a cruise, after having captured a number of vessels, among which is a British sloop of war of 20 guns. We have no doubt of the truth of the above, though we are not acquainted with the particulars. The sloop of war, we learn, is the Alert, said to have had several vessels under convoy, on board of which were 500 troops—all were taken, and the Alert sent to Newfoundland as a cartel with prisoners.

The Constitution and Guerriere.

The capture of this *Englishman*, all things considered, is one of the most splendid achievements in maritime history. It is an event eminently calculated to *astonish* all Europe, terror-stricken by the power of the British navy, and but little acquainted with the true character of the American seamen; yet it is such an event as *we* ever anticipated, if the opportunity was afforded of matching any of our vessels with *the best* of her class in "his majesty's" fleets. The *Guerriere* has long been the pride of Englishmen in this quarter of the world: She was one of the best found and best manned ships of the *enemy;* strong built and exceedingly powerful. Her captain wanted much to have a brush with commodore *Rodgers*, because he resisted and punished the impudence of the *Little Belt;* and he was at length gratified in his ardent desire of "*catching a yankee.*"* He told his crew, exultingly, that he would allow them but half an hour to take the American frigate; that he should be quite offended with them if they did not do her business in that time. *Mirabile dictu!* what a reverse ?—In twenty minutes he received an *invitation* which, bold as he was, he dared not refuse, to go and see "*the natives of Boston!*" Unfortunate man!—the *three* flags he had set up to shew his determination, with the masts from which they flew, went over the side, while *Hull's* FOUR "*gridirons*"† floated in the air triumphant.

It is ungenerous to exult over a fallen foe, for *Dacres* fought bravely; but of all the vessels belonging to the "mistress of the sea," and all the men in "his majesty's service," this is the very vessel and very man we desired to have hold on; as well because she was thought one of the most valuable ships in the navy, as on account of the many depredations committed by her commander on the persons and property of our country, setting aside his terrible threatenings as to what he *would* do. Thanks to the valiant *Hull*, and his inestimable officers and crew, the much despised *yankee* courage has proved itself a good match for the far famed skill experience and gallantry of Britain, united; for the *Constitution*, six or seven weeks since, was receiving her men in the *Chesapeake* bay; a very small portion of whom, indeed, had ever been in an engagement.

The *Guerriere* is the only frigate the British have lost for more than 30 years, when contending with an equal or inferior force. She was captured from the French, in 1806, by the Blanche‡ of 38 guns, and

* The *Thetis*, and the five vessels that follow, are among the omissions in the general list—for the correction, we are indebted to a friend, who, by carefully examining the prizes recorded, will observe that the other vessels named by him are already inserted. We are sensible that the list is yet very imperfect- but hereafter expect it to be tolerably correct.

* CAPTAIN DACRES' CHALLENGE.

New-York, Sept. 7.—The brig John Adams, capt. Fash, arrived at this port on Friday evening. She was boarded by the Guerriere frigate 2 or 3 days previous to her meeting the Constitution, and capt. Dacres wrote the following challenge on the register of the John Adams:

"Capt. Dacres, commander of his Britannic majesty's frigate Guerriere, of 44 guns, presents his compliments to commodore Rodgers, of the United States frigate President, and will be very happy to meet him, or any other American frigate of equal force to the President, off Sandy Hook, for the purpose of having a few minutes *tete-a-tete.*

† The flag of the United States—so called in ridicule by *British* seamen. It may also be recollected that our favorite *yankee doodle* originated in the enemy's burlesque.

‡ FROM CAPTAIN LAVIT, TO LORD KEITH.

"*Blanche, Yarmouth, July 26th*, 1806.

"MY LORD.—I have the honor to acquaint you of my return to *Yarmouth* to day, having in company the *Guerriere* frigate, commanded by monsieur HUBERT, of the legion of honor, whom I captured on the 19th inst. in long. 62, off the *Faro Islands*, after a sharp contest of 45 minutes.

"*Le Guerriere* is of the largest class of frigates mounting fifty guns, with a complement of 317 men.

would have made a charming addition to our little navy. had she not been so horribly battered by the *Constitution*, as to render it impossible to bring her into port; whose fire was more destructive than any other we have heard of.

Commodore Rodgers.

This gallant officer has been peculiarly unfortunate. In search of glory he crossed the Atlantic ocean and scoured the coasts of France, Spain and Portugal, without meeting with any thing to gratify his ardent thirst for fame. Yet by the cruise he has "done the state some service." He has compelled all the British vessels on our coast to keep much together, and so greatly facilitated the entry of our vessels, *now* chiefly safe at home. When the news of his voyage reaches *England*, every spare squadron will be sent out on a "*wild goose chase*" after him; and thus much time will be gained for our yet absent merchantmen; while he, in the interim, will make a dash at the British men of war on our coast, and, perhaps, clear it. We only wish him to *meet* them gun for gun, and man for man.

On the whole, whether commodore *Rodgers* acted under express orders from the navy department, or of his own motion, (and the latter is generally supposed), he has the honor having designed a most noble enterprize, as well as of really effecting a great good to his country. No doubt his brave spirit, with the gallant spirits of the officers and crews of the squadron, are exceeding mortified that no *splendid* atchievement has been accomplished—but let them be satisfied, for the present, with having *deserved* it, and trust to *future accident* for *certain glory*.

United States' Revenue.

We think it highly probable, from the great influx of British goods, and the brilliant success of our privateers, that the revenue of the U. States in the present year, to be derived from duties on imports and tonnage, will amount to at least TWENTY MILLIONS OF DOLLARS, instead of five millions, as estimated by the secretary of the treasury—for the British goods, be their fate what it may, must pay the duties upon them. To recruit the treasury, to aid the war, and make *their own fortunes*, the *Baltimore* cruisers are doing their full share; and will, if their good luck continues, be the means of contributing a million to the public purse. Besides, we are fitting out several other vessels to help them in the good work; and in all parts of the United States, we observe an increased and constantly increasing desire, to raise *the revenue*, by bringing in as many enemy ships as is possible.

The Chronicle.

We have three bulletins of the French grand army. The first is dated at Gumbinnon, in Prussian Lithuania, June 20—the second at Wilkowiski, on the 22nd, and the third at Kowna, June 26. They detail no event of importance.

The crown prince of Sweden is said to have 60,000 troops under arms, with a reserve of 25,000 men.—The British papers intimate that he contemplates a descent upon Denmark in concert with Russia.—But this is an old story.

The Russians are retreating to the Dwina—destroying every thing before them that can be useful to the enemy. The French entered Wilna on the 1st of July, and found it in a desolate state. *It is said* they are suffering extremely for want of provisions, and that large quantities of their troops particularly the Prussians, were deserting. A London paper of the 28th July, says that Bonaparte was returning from Russia for the want of supplies.

LONDON, JULY 26.—Government have deemed it expedient to make an alteration in the licenses granted to Americans. American ships were allowed to export only goods of British manufacture; they are now at liberty to export such articles as by law may be exported. The licenses will, besides, protect the return of the said articles to Great Britain, should the government of the United States refuse them admission into the ports of America.

The last accounts from lord Wellington, in Spain, place him at Fuerte la Vena, 50 miles from Salamanca, on the road to Valladolid. His advanced guard had frequent skirmishes with the rear of Marmont's army, which was in full retreat.

Lord Castlereagh was in parliament on the 27th July. The report of the duel is therefore unfounded. *Perhaps he was not born to be shot*

The "Beacon" a London paper of July 26, says, as America commenced hostile measures before she heard of the revocation of the orders in council, we are yet confident amity will be restored."

July 23. Ministers informed the merchants that though they had not official information of the American war from Mr. Foster, they believed it had commenced.—The merchants then requested stronger convoys for Canada.

The Courier recommended an embargo on American vessels; and says "America has declared war and let her have it. We hope a squadron will be sent to scour the American coast——and squadrons to sweep her vessels from every sea;"——[As to our vessels, thank heaven, the greater part are snug at home, except those we wish at sea—and Mr. *Courier* shall find that the British squadrons will have enough to do to protect *their own* commerce from the enterprize of 100,000 abler seamen than their navy boasts of. The chief part of the commerce of the *United States*, during the war, will be brought here in *British* bottoms; and lords *Liverpool* and *Sheffield* ought to be much obliged to us for the *exclusive privilege* we intend to allow the shipping of Great Britain to furnish us with goods!]

Kentucky election. Messrs. Clay, M'Kee, Johnson, Desha, Clark, Montgomery, Duvall, Sharp, Hopkins and Simpson, all republicans, have been elected representatives in the 13th congress of the U. States. We have already noticed the election of brave old col. Shelby as governor, by a large majority.

The French army on the borders of Russia, is said to consist of 640,000 men.

☞ In consequence of the doubts expressed by some of the agents of the Register, as to the period of payment, it is proper to say—that of the *original subscribers*, (that is, those who have received the work from No. 1,) residing in places where there is an agent we do not expect payment for the present year until *March* next; this, however, does not foreclose the good wishes of any who may desire to pay in *advance*, whose favors will be very gratefully received: and many it is believed, are so far disposed to encourage the work.

Those who have not yet paid for the first year may satisfy the deficit by *now* forwarding the two years together, as several have done.

New subscribers must pay in advance.

---

but they were very soon sadly reduced by our destructive fire, and the ship has also suffered very severely, while the damages of the *Blanche* were confined to the topmasts, rigging and sails.—[*Here a list of killed, wounded, &c. The Blanche had on* 3 *wounded.*]

"THOMAS LAVIE."